

IFW



Practitioner's Docket No. 1348/111

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent application  
of \_\_\_\_\_

Inventor(s)

for \_\_\_\_\_

Title of invention

OR

In re application of: Percival

Application No.: 10/709,040

Group No.: 2186

Filed: April 4, 2004

Examiner: N/A

For: A Method and System for Coherently Caching I/O Devices Across a Network

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT  
WITHIN THREE MONTHS OF FILING OR  
BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. SECTION 1.97(b))

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. SECTION 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

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Date: August 31, 2004

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☐ transmitted by facsimile to the Patent and Trademark  
Office.

Signature

Robert M. Asher

(type or print name of person certifying)

*NOTE:* "An information disclosure statement shall be considered by the Office if filed by the applicant: (1) within three months of the filing date of a national application; (2) within three months of the date of entry of the national stage as set forth in section 1.491 in an international application; or (3) before the mailing date of a first Office action on the merits, whichever event occurs last." 37 C.F.R. section 1.97(b).

*NOTE:* The "filing date of a national application" under 37 C.F.R. section 1.97(b) has two possible meanings. Where the filing is a direct one to the United States Patent & Trademark office, the filing is defined in 37 C.F.R. section 1.53(b) as "the date on which: (1) A specification containing a description pursuant to section 1.71 and at least one claim pursuant to section 1.75; and (2) any drawing required by section 1.81(a), are filed in the Patent and Trademark Office in the name of the actual inventor or inventors as required by section 1.41." 37 C.F.R. section 1.97(b)(1). On the other hand, an international application that enters the national stage occurs when the applicant has filed the documents and fees required by 35 U.S.C. section 371(c) within the periods set forth in section 1.494 or section 1.495. 35 U.S.C. section 371(c) requires the filing of the following: (1) the basic national fee; (2) a copy of the international application, unless already sent by the International Bureau, and optionally an English translation if filed in another language; and, also optionally (3) amendments under PCT Article 19, with a translation into English if made in another language; (4) an oath or declaration; and (5) a translation into English of any annexes to the international preliminary examination report, if such annexes were made in another language. The optional items must be submitted later, with surcharges. 37 C.F.R. section 1.97(b)(2).

## **IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING INFORMATION DISCLOSURE STATEMENT**

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. section 1.97(b).

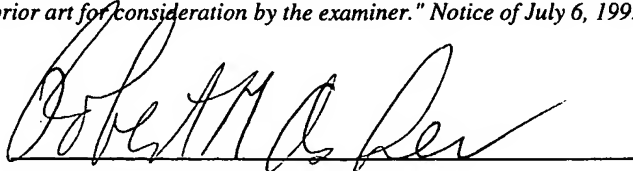
*NOTE:* "No certification or fee is due when the filing is made within the above time period. It is advisable to ensure that no Office action has been mailed if the disclosure statement is delayed until after three months from filing."

*NOTE:* "An information disclosure statement will be considered to have been filed on the day it was received in the Office, or on an earlier date of a mailing if accompanied by a properly executed certificate of mailing under 37 C.F.R. 1.8, or Express Mail certificate under 37 C.F.R. 1.10. An office action is mailed on the date indicated in the Office action." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

*NOTE:* "The term 'national application' includes continuing applications (continuations, divisions, continuations-in-part) so three-months will be measured from the actual filing date of an application as opposed [sic] to the effective date of a continuing application." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

*NOTE:* "An action on the merits means an action which treats the patentability of the claims in an application, as opposed to only formal or procedural requirements. An action on the merits would, for example, contain a rejection or indication of allowability of a claim or claims rather than just a restriction requirement (37 C.F.R. section 1.142) or just a requirement for additional fees to have a claim considered (37 C.F.R. section 1.16(d)). Thus, if an application was filed on Jan. 1 and the first Office action on the merits was not mailed until six months later on July 1, the examiner would be required to consider any proper information disclosure statement filed prior to July 1." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

**WARNING:** "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 C.F.R. section 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63).



SIGNATURE OF PRACTITIONER

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01348/00111 332028.1

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent application



Inventor(s)

Title of invention

the specification of which is being transmitted herewith  
OR

In re application of: Percival

Application No.: 10/709,040

Group No.: 2186

Filed: April 4, 2004

Examiner: N/A

For: A Method and System for Coherently Caching I/O Devices Across a Network

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

## INFORMATION DISCLOSURE STATEMENT

(Information Disclosure Statement--page 1 of 10)

## CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10\*

(When using Express Mail, the Express Mail label number is mandatory;

Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

## MAILING

☒ deposited with the United States Postal Service in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

37 C.F.R. SECTION 1.8(a)

37 C.F.R. SECTION 1.10\*

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## TRANSMISSION

☐ transmitted by facsimile to the Patent and Trademark Office.

Signature

Robert M. Asher

(type or print name of person certifying)

Date: August 31, 2004

**\*WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. section 1.10(b).

"Since the filing of correspondence under section 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable C.F.R.e, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

**NOTE:** "An information disclosure statement shall be considered by the Office if filed by the applicant:

- (1) Within three months of the filing date of a national application;
- (2) Within three months of the date of entry of the national stage as set forth in section 1.491 in an international application; or
- (3) Before the mailing date of a first Office action on the merits, whichever event occurs last." 37 C.F.R. section 1.97(b).

**NOTE:** "Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section." 37 C.F.R. section 1.56(a).

"Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) each inventor named in the application;
- (2) each attorney or agent who prepares or prosecutes the application; and
- (3) every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application." 37 C.F.R. section 1.56(c).

**NOTE:** The "duty as described in section 1.56 will be met so long as the information in question was cited by the Office or submitted to the Office in the manner prescribed by sections 1.97(b) - (d) and 1.98 before issuance of the patent." Notice of January 9, 1992, 1135 O.G. 13-25 at 17.

**WARNING:** "No information disclosure statement may be filed in a provisional application." 37 C.F.R. section 1.51(b).

### **List of Sections Forming Part of This Information Disclosure Statement**

The following sections are being submitted for this Information Disclosure Statement:

(check sections forming a part of this statement: disC.F.R.d unused sections and number pages consecutively)

1. ☒ Preliminary Statements
2. ☒ Forms PTO/SB/08A and 08B (substitute for Form PTO-1449)
3. ☐ Statement as to Information Not Found in Patents or Publications
4. ☒ Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted
5. ☐ Cumulative Patents or Publications
6. ☐ Copies of Listed Information Items Accompanying This Statement
7. ☐ Concise Explanation of Non-English Language Listed Information Items
  - 7A. ☐ JEPO Search Report
  - 7B. ☐ English Language Version of EPO Search Report
8. ☐ Translation(s) of Non-English Language Documents
9. ☐ Concise Explanation of English Language Listed Information Items (Optional)
10. ☒ Identification of Person(s) Making This Information Disclosure Statement

(complete the following, if appropriate)

Sections \_\_\_\_\_, respectively, have been continued on ADDED PAGE(S).

**NOTE :** "Once the minimum requirements are met, the examiner has an obligation to consider the information." Notice of April 20, 1992 (1138 O.G. 37-41, 37).

## **Section 1. Preliminary statements**

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. section 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

In addition to the Form PTO/SB/08A, also enclosed are the following:

- Information Disclosure Statement dated April 1, 1998
- Declaration of Pamela Cleveland dated March 30, 1997
- Declaration of Eric Dickman dated March 30, 1998
- Declaration of Eric Dickman dated July 16, 1997
- Declaration of Eric Dickman dated January 30, 1996
- Litigation Disclosure Statement dated August 31, 2004



**SECTION 2 FORMS PTO/SB/08A and 08B (formerly Form PTO-1449)**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Percival Attorney Docket: 1348/111  
Serial No: 10/709,040 Art Group Unit: 2186  
Date Filed: April 8, 2004 Examiner Name: N/A  
Invention: A Method and System for Coherently Caching I/O Devices Across a Network

**LIST OF PATENTS AND PUBLICATIONS FOR  
APPLICANT'S INFORMATION DISCLOSURE STATEMENT**

Examiner Initials	Reference Number	Document Number	Issue Date	Inventor	Class/Subclass
_____	AA	3,820,078	June 25, 1974	Curley et al.	395/250
_____	AB	4,755,930	Jul. 5, 1988	Wilson, Jr. et al.	395/449
_____	AC	4,775,955	Oct. 4, 1988	Liu	395/472
_____	AD	4,849,879	Jul. 18, 1989	Chinnaswamy et al.	395/60
_____	AE	5,025,366	Jun. 18, 1991	Baror	395/455
_____	AF	5,060,144	Oct. 22, 1991	Sipple et al.	395/726
_____	AG	5,062,055	Oct. 19, 1991	Chinnaswamy et al	364/551.01
_____	AH	5,067,071	Nov. 19, 1991	Schanin et al.	395/293
_____	AI	5,091,846	Feb. 25, 1992	Sachs et al.	395/250
_____	AJ	5,136,691	Aug. 4, 1992	Baror	395/466
_____	AK	5,185,878	Feb. 9, 1993	Baror et al.	395/450
_____	AL	5,241,641	Aug. 31, 1993	Iwasa et al.	395/449
_____	AM	5,265,235	Nov. 23, 1993	Sindhu et al.	395/447
_____	AN	5,282,272	Jan. 25, 1994	Guy et al.	395/200.0
_____	AO	5,307,506	Apr. 26, 1994	Colwell et al.	395/800
_____	AP	5,323,403	Jun. 21, 1994	Elliott	371/37.6
_____	AQ	5,335,327	Aug. 2, 1994	Hisano et al.	395/250
_____	AR	5,347,648	Sept. 13, 1994	Stamm et al.	395/182.0
_____	AS	5,353,430	Oct. 4, 1994	Lautzenheiser	395/444
_____	AT	5,363,490	Nov. 8, 1994	Alferness et al.	395/581

_____	AU	5,390,318	Feb. 13, 1995	Ramakrishnan et al.	395/485
_____	AV	5,426,747	Jun. 20, 1995	Weinreb et al.	395/413
_____	AW	5,606,681	February – 1997	Smith et al.	395/445
_____	AX	5,452,447	November – 1995	Nelson et al.	395/440
_____	AY	5,566,315	October – 1996	Milillo et al.	395/440
_____	CZ	5,301,290	Apr. 5, 1994	Tetzlaff et al.	395/425
_____	DA	5,408,653	Apr. 18, 1995	Josten et al.	395/600

### **Foreign Patent Documents**

Examiner Initials	Reference Number	Document Number	Issue Date
_____	AZ	JP64-36351	May 24, 1989

### **OTHER REFERENCES**

<u>Exam. Init.</u>	<u>Ref. No.</u>	<u>Document</u>
_____	BA	"The Stanford Dash Multiprocessor", Lenoski et al., Computer, IEEE Computer Society, March 1992, pp. 63-79.
_____	BB	"Cache-Coherency Protocols Keep Data Consistent", Gallant, J., Electronic Technology for Engineers and Engineering Managers, March 14, 1991.
_____	BC	"Disk Cache Replacement Policies for Network Fileservers", Willick, D.L., Distributed Computing Systems, 1993 Int'l. Conf., pp.2-11.
_____	BD	"xFS; A Wide Area Mass Storage File System", Wang, Randolph Y. et al., Workstation Operating Systems, 1993, pp. 71-178.
_____	BE	"Linked List Cache Coherence for Scalable Shared Memory Multiprocessors", Thapar, Manu et al., Parallel Processing, 1993 Symposium, pp. 34-43.
_____	BF	"The S3.Manufacturing Procedure Scalable Shared Memory Multiprocessor", Nowatzky, Andreas et al., System Sciences, 1994 Ann. Hawaii Int'l. Conf., Vol. I, 1/4/94, pp. 144-153.
_____	BG	TURBOCACHET™/TURBODISK™ Software Product Description, EEC Systems, Incorporated, Revised February 24, 1992.



- \_\_\_\_\_ BH TURBOCACHETM/TURBODISK™ Quick Start Guide, EEC Systems Incorporated, February 24, 1992
- \_\_\_\_\_ BI TURBOCACHETM Software Product Description, EEC Systems, Incorporated, Revised: February 24, 1992
- \_\_\_\_\_ BJ TURBOCACHETM/TURBODISK™, Cover Letter and Release Notes (\*read me first\*), EEC Systems, Incorporated, February 24, 1992.
- \_\_\_\_\_ BK TURBOCACHETM/TURBODISK™ Software Installation and User's Guide, EEC Systems Incorporated, February 24, 1992.
- \_\_\_\_\_ BL "SuperCache™ - Open VMS I/O Performance Accelerator", Software Product Description SuperCacherM, 1992, 1993 Turbo Systems International s.a.
- \_\_\_\_\_ BM "SuperCache™ V.1.2 User and Installation Guide, a TurboWare™ Product", V1.2-08.
- \_\_\_\_\_ BN "VMS File System Internals" Kirby McCoy, Digital Press, Digital Equipment Corporation, 1990.
- \_\_\_\_\_ BO "The VAX/VMS Distributed Lock Manager", Snaman, Jr., William E et al., *Digital Technical Journal*, No. 5, Sept. 1987
- \_\_\_\_\_ BP "The Design and Implementation of a Distributed File System", Goldstein, *Digital Technical Journal*, No. 5, Sept. 1987
- \_\_\_\_\_ BQ "File System Operation in a VAXcluster Environment", Chapter 8, *VMS File System Internals*, McCoy, Digital Press, 1990
- \_\_\_\_\_ BR Howard, John, "An Overview of the Andrew File System", USENIX Winter Conference, Feb. 9-12, 1988, Dallas, Texas
- \_\_\_\_\_ BS Tanenbaum, Andrew S., "Operating Systems: Design and Implementation", Prentice-Hall, Inc., 1987
- \_\_\_\_\_ BT Gray, Cary G. et al., "Leases: An Efficient Fault-Tolerant Mechanism for Distributed File Cache Consistency", 1989 ACM 089791-338-3/89/0012/0202
- \_\_\_\_\_ BU Macklem, Rick, "Lessons Learned Tuning the 4.3BSD Reno Implementation of the NFS Protocol", USENIX, Winter'91, Dallas, Texas
- \_\_\_\_\_ BV Kazar, Michael L., "Synchronization and Caching Issues in the Andrew File System", USENIX Winter Conference, Feb. 9-12, 1988, Dallas, Texas
- \_\_\_\_\_ BW Sinniah, Raymond R., "An Introduction to the Andrew File System"  
<http://homepages.uel.ac.uk/5291n/afs/afsdoc.html>

- \_\_\_\_\_ BX Duncan, Ray, "Design Goals and Implementation of the New High Performance File System", *Microsoft Systems Journal*, Sept. 1989, Vol. 4, No. 5
- \_\_\_\_\_ BY Bell, Les, "OS/2 High Performance File System",  
<http://www.lesbell.com.ati/hpfstest.html>
- \_\_\_\_\_ BZ Kumar, Puneet et al., "Log-Based Directory Resolution in the Coda File System", 1993 IEEE 0-8186-3330-1/93
- \_\_\_\_\_ CA Mogul, Jeffrey C., "A Recovery Protocol for Spritely NFS", USENIX Association File Systems Workshop, May 21-22, 1992, Ann Arbor, Michigan
- \_\_\_\_\_ CB Seltzer, Margo et al., "An Implementation of a Log-Structured File System for UNIX", 1993 Winter USENIX, Jan. 25-29, 1993, San Diego, California
- \_\_\_\_\_ CC McKusick, Marshall et al., "The Network Filesystem", Chapter 9 of "The Design and Implementation of the 4ABSD Operating System", 1996
- \_\_\_\_\_ CD PC Tech, "Understanding the OS/2 CONFIG-SYS File", PC Magazine
- \_\_\_\_\_ CE Jang, Saqib, "NFS and DFS A Functional Comparison", AUSPEX Technical Report 15, April 1997
- \_\_\_\_\_ CF Transarc Corporation, "The AFS File System in Distributed Computing Environments", May 1, 1996
- \_\_\_\_\_ CG Mena, Agustin et al., "Performance Characteristics of the DCE Distributed File Service", IBM Distributed Computing Environment White Paper
- \_\_\_\_\_ CH "Global File Sharing", Sun Microsystems, Inc., 1996
- \_\_\_\_\_ CI "NFS Performance", Sun Microsystems, Inc., 1996
- \_\_\_\_\_ CJ "OS/2's History and Purpose"  
<http://sunsite.nus.sg/pub/os2/phamiacy/Should-Mstory-andPurpose.html>
- \_\_\_\_\_ CK "1.05a Cache Manager", AFS distributed filesystem FAQ,  
<http://www.cis.ohio state.edu/hypertext/faw/usenet/afs-faq/faw-doc-l4.html>
- \_\_\_\_\_ CL "1.2.7 Distributed File System", IBM Book Manager Book Server, 1989, IBM Corporation, 1996
- \_\_\_\_\_ CM "5.3.3 HPFS386 Architecture", IBM Book Manager Book Server, 1989, IBM Corporation; 1996
- \_\_\_\_\_ CN "HPFS and Fat File Systems Description",  
<http://www.022bbs.com/file-c/tips/DIHPFT.FAX>

- \_\_\_\_\_ CO Bowen, Ted S. "EEC ups ante in VMS disk caching arena with three-tiered package for VAXClusters." Digital Review, Cahners Publishing Co., March 16, 1992 v9 n6 p6(1).
- \_\_\_\_\_ CP "I/O Express User's Guide", Executive Software International, Glendale, CA.; June 1990.
- \_\_\_\_\_ CQ "I/O Express Technical Reports", Executive Software International, Glendale, CA.; February 1992 - January 1993.
- \_\_\_\_\_ CR "Field Test Guide for I/O Express Dynamic Data Caching for VAX/VMS", Executive Software, Glendale, CA.' 9/1989.
- \_\_\_\_\_ CS "Diskeeper User's Guide V2.1- Errata", Executive Software, Glendale, CA.; April 1989.
- \_\_\_\_\_ CT "Executive Software's Newkeeper", Executive Software, Glendale, CA.; Vol. 4 Issue 4; 1991.
- \_\_\_\_\_ CU "SuperCache-Open VMS I/O Performance Accelerator", TurboSystems International s.a., distributed by EEC Systems, Inc., Sudbury, MA. 1993
- \_\_\_\_\_ CV "Executive Software's Newskeeper", Executive Software, Glendale, CA., Vol. 3, Issue 8, May/June 1990.
- \_\_\_\_\_ CW "Executive Software's Newskeeper", Executive Software, Glendale, CA., Vol. 3, Issue 9, July/August 1990.
- \_\_\_\_\_ CX "Executive Software's Newskeeper", Executive Software, Glendale, CA., Vol. 4, Issue 1, 1991.
- \_\_\_\_\_ CY "Executive Software's Newskeeper", Executive Software, Glendale, CA., Vol. 4, Issue 3, 1991

Examiner Signature: \_\_\_\_\_

Date Considered: \_\_\_\_\_

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation *if not* in conformance and not considered. Include copy of this form with next communication to applicant.

#### **Section 4. Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted**

**NOTE:** *"A copy of any patent, publication or other information listed in an information disclosure statement is not required to be provided if it was previously cited by or submitted to the Office in a prior application, provided that the prior application is properly identified in the statement and relied upon for an earlier filing date under 35 U.S.C. 120." 37 C.F.R. section 1.98(d).*

**WARNING:** *"This exception to the requirement for copies of information does not apply to information which was cited in an international application under the Patent Cooperation Treaty." Notice of April 20, 1992 (1138 O.G. 37-41, 38).*

**WARNING:** *"Information which is cited or submitted to the Office in the parent application of a file wrapper continuing application under 37 C.F.R. section 1.62 will be part of the file before the examiner and need not be resubmitted in the continuing application. Likewise, the examiner will consider information cited or submitted to the Office in a parent application when examining a continuing application and thus this information need not be resubmitted unless applicant desires the information to be printed on the patent." Notice of April 20, 1992 (1138 O.G. 37-41, 37).*

**WARNING:** *While a copy of a non-English language item of information need not be submitted, if it was previously submitted to, or cited by, the Office in a prior application, provided it is properly identified in this statement and this application relies on that earlier filing date under 35 U.S.C. 120, nevertheless, the requirement in section 1.98(a)(3) for a concise explanation of non-English language information would not be satisfied by a statement that a reference was cited in the prosecution of a parent application. The concise explanation must explain the relevance, as presently understood by the person designated in section 1.56(c) most knowledgeable about the content of the information. Notice of January 9, 1992, 1135 O.G. 13-25, at 20.*

This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application S.N. 10/683,853, filed October 10, 2003, which relies upon prior application S.N. 10/052,873 filed on January 16, 2002 issued as U.S. Patent No. 6,651,136 which claims priority from application S.N. 09/300,633 filed on April 27, 1999 ~~issued as U.S. Patent No. 6,370,615 on~~ April 9, 2002. This application also relies, under 35 U.S.C. § 120 on the earlier filing date of S.N. 08/657,777, filed on May 31, 1996 issued as U.S. Patent No. 5,918,244 and S.N. 08/238,815, filed on May 6, 1994 issued as U.S. Patent No. 5,577,226.

*(complete the following, if applicable)*

The following references were submitted to, and /or cited by, the Office in the prior application(s) and, therefore, are not required to be provided in this application:

**AA-DA**

Copies of these references can be found in at least the file of application S.N. 09/300,633 filed on April 27, 1999 and issued as U.S. Patent No. 6,370,615.

**Section 10. Identification of Person(s) Making This Information Disclosure Statement**

The person making this certification is

*(check each applicable item)*

- (a) ☐ the inventor(s) who signs below

\_\_\_\_\_  
SIGNATURE OF INVENTOR

\_\_\_\_\_  
*(type name of inventor who is signing)*

- (b) ☐ an individual associated with the filing and prosecution of this application (37 C.F.R. section 1.56(c))

\_\_\_\_\_  
SIGNATURE OF INVENTOR

\_\_\_\_\_  
*(type name of inventor who is signing)*

- (c) ☒ the practitioner who signs below on the basis of the information:

*(check each applicable item)*

☐ supplied by the inventor(s).

☐ supplied by an individual associated with the filing and prosecution of this application. (37 C.F.R. section 1.56(c)).

☒ in the practitioner's file.

  
\_\_\_\_\_  
SIGNATURE OF PRACTITIONER

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01348/00111 321287.1

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Percival

Att'y Docket: 1348/111

App. No.: 10/709,040

Art Unit: 2186

Filing Date: April 4, 2004

Examiner: N/A

For: Method and System for Coherently Caching  
I/O Devices Across a Network

Date: August 31, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**LITIGATION DISCLOSURE STATEMENT**

Pursuant to the MPEP §2001.06(c) applicant wishes to bring a pending litigation to the attention of the U.S. Patent and Trademark Office. Civil Action No. C-04-214, pending in the District Court for the Southern District of Texas, Corpus Christi Division, is a patent infringement suit brought by SuperSpeed Software, Inc. against Oracle involving the parent patents to the present application. The patents named in the lawsuit include U.S. Patent No. 5,577,226; 5,918,244; 6,370,615; and 6,651,136.

Respectfully submitted,

Robert M. Asher

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